

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-16 and 22-27 are pending in the application. Non-elected claims 17-18 and omnibus claims 19-21 have been canceled. Claims 1-14 have been amended to improve claim language. Claims 15-16 have been amended to avoid potential indefiniteness issues. New claims 22-27 have been added to provide Applicants with the scope of protection to which they are believed entitled. The subject matter of original claims 15-16 is now recited in amended claims 15-16 and new claims 22-23. The specification has been revised to correct apparent spelling errors. The Abstract has been amended in compliance with commonly accepted US patent practice.

No new matter has been introduced through the foregoing amendments.

The *35 U.S.C. 112, second paragraph* rejection of claims 19-21 is moot as the rejected claims have been cancelled.

The *35 U.S.C. 103(a)* rejection of claims 1-10 as being obvious over Applicant's Admitted Prior Art (*APA*) disclosed in page 2, the second full paragraph of the specification, is traversed because the reference is not modifiable to include all limitations of the rejected claims, e.g., the spray guns **bearing a recognizable coding sequence** indicating the sequence by which the spray guns are to be used, as recited in independent claim 1. Note, "recognizable coding sequence" has been defined in the specification page 3, the first full paragraph.

APA, i.e., U.S. Patent No. 4,545,534 to *Schaefer*, discloses an air brush organizer comprising a plurality of air brushes, each air brush delivering a different color. The organizer includes a color coding band (see element 45 in FIGs. 12-13 of the *Schaefer* patent) which passes

adjacent all the air brushes such that the portion of band passing adjacent the air brush for applying red paint is colored red and the portion of band passing adjacent the air brush for applying blue paint is colored blue. The color of the coding band, as it passes each air brush reflects the color of the paint applied by the air brush. A closer review of the *Schaefer* patent reveals that the color coding band 45 is desirably applied to the top edge of a housing 13. The air-guns 26 are replaced on the shelf in a neat orderly manner within the housing 13. See column 2, lines 65-68 and column 4, lines 7-9 of the *Schaefer* patent. In addition, the device disclosed in the *Schaefer* patent is intended to hold in an organized manner air brushes used by **artists** in various art forms including illustration, taxidermy, and the like. See the Abstract and column 1, lines 5-10 of the *Schaefer* patent.

The Examiner alleged that the use in everyday life of numbers, words, and colors to indicate sequence of events would have made it obvious to a skilled artisan in the coating art to mark the guns of *APA* with numbers, words or colors to indicate sequence and this is especially true since the guns of *APA* are marked with colors. The Examiner further argued that the use of a gun such as that in the secondary references or to mark on any part of the gun to indicate sequence of use would have been obvious to skilled artisans. Applicants cannot agree for the following reasons.

First, the Examiner's allegation of the use in everyday life of numbers, words, and colors to indicate sequence of events is evidentially unsupported. Applicants respectfully request that the Examiner cite references of good date and in the relevant art in support of his allegation.

Second, a skilled artisan would have found marking the air brushes of *APA* to indicate sequence redundant. The *Schaefer* patent discloses that the air brushes are to be used by artists in various art forms including illustration, taxidermy, and the like. Generally, artists do not apply paint of various colors in a strict, predetermined sequence. Therefore, the skilled artisan would not have been motivated to mark the air brushes of *APA* to indicate sequence as this modification would not have any positive affect on the artist's work. It is sufficient to identify the guns by their

paint colors as disclosed in *APA*.

Third, the Examiner's rationale lacks a suggestion or motivation to provide markings which are borne by the guns as presently claimed. In *APA*, the color band is not borne by the air brushes. Rather, it is positioned adjacent to the air brushes. The air brushes themselves do not bear any marking.

Fourth, the Examiner's allegation that marking any part of the gun to indicate sequence of use would have been obvious to skilled artisans is evidentially unsupported. Applicants respectfully request that the Examiner cite references of good date and in the relevant art in support of his allegation. Of particular note, the primary reference fails to teach or suggest markings on the air brushes as noted above with respect to the third reason, whereas the secondary references do not teach or suggest gun marking at all.

For any of the above reasons, Applicants respectfully submit that the 35 U.S.C. 103(a) rejection of claims 1-10 as well as the 35 U.S.C. 103(a) rejection of claims 11-16 are inappropriate and should be withdrawn.

As to claims 4 and 11, the applied art of record fails to disclose, teach or suggest that the claimed recognizable color sequence **consists of** the colors green, amber and red.

As to claim 6, the applied art of record fails to disclose, teach or suggest that a member of the recognizable coding sequence is **located on each reservoir**.

As to claim 10, the applied art of record fails to disclose, teach or suggest that a member of the recognizable coding sequence is **located on the removable lid**.

As to claim 14, the applied art of record fails to disclose, teach or suggest that for at least one reservoir, the color of the fluid coating is **dissimilar** to the color of the particular member of the recognizable color sequence borne by said reservoir.

New claims 22-27 are patentable over the applied art of record at least for the reasons advanced with respect to claim 1.

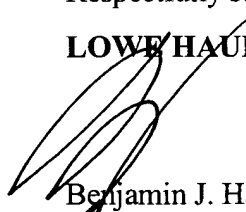
Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: July 14, 2004